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FILED
JUN 23 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8561

UNITED STATES OF AMERICA, Plaintiff, v. Mirza ALVAREZ-Estrada (1) Jorge CAMACHO-Anzures (2) Defendants,	)	Mag. Case No. COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1324 (a)(1)(A)(ii) -Illegal Transportation of Alien(s)

The undersigned complainant, being duly sworn, states:

On or about June 20, 2008, within the Southern District of California, defendant Mirza ALVAREZ-Estrada and Jorge CAMACHO-Anzures, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, Job RODRIGUEZ-Ramirez, Victor PEREZ-Chavez and Erasmo MALDONADO-Rios had come to, entered or remained in the United States in violation of law, did transport or move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant states that this complaint is based on the attached statement of facts which, is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 23rd DAY OF JUNE 2008.

Peter C. Lewis
United States Magistrate Judge

I, Senior Border Patrol Agent Juan Suarez declare under penalty of Perjury, the following is true and correct:

PROBABLE CAUSE STATEMENT

The complainant states that this complaint is based upon statements in the investigative reports by the apprehending agents, that on June 20, 2008, the defendants, a citizen and national Mexico and a citizen and national of Guatemala were apprehended near Ocotillo, California, as the driver and passenger of a red 1997 Ford Expedition bearing California license, 5HQB978, as they attempted to smuggled (4) four undocumented aliens in violation of law.

BPA Snyder was assigned to S-2 fully operational Border Patrol Checkpoint which is located at mile marker 51 on Imperial Highway. At approximately 10:00 p.m., a vehicle approached the checkpoint. Once the vehicle approached the primary inspection area BPA Snyder identified himself to the driver as a United States Border Patrol Agent. BPA Snyder questioned the driver, later identified as Mirza ALVAREZ-Estrada, as to her citizenship in the English language and she did not respond. BPA Snyder proceeded to ask her in the Spanish language and she stuttered and hesitated to answer his questions and kept on looking over to the individual in the passenger side. During the questioning BPA Burruel approached the passenger side of the vehicle and observed two individuals trying to conceal themselves with a blue tarp in the back of the vehicle. BPA Snyder told ALVAREZ to turn off the vehicle and to step out along with the rest of the individuals. All passengers of the vehicle admitted to being citizens of Mexico illegally in the United States. Once out of the vehicle ALVAREZ admitted to being a citizen of Guatemala and that she had a court hearing pending for political asylum. The individuals were placed under arrest.

At approximately 2:44 a.m., AVAREZ was advised of her rights as per Miranda by BPA Mendez and witnessed by BPA Tellez.

At approximately 2:52 a.m., CAMACHO was advised of his rights as per Miranda by BPA Mendez and witnessed by BPA Tellez. CAMACHO stated that he is a citizen of Mexico and that he illegally entered the United States 20 years ago by walking through a mountain trail near San Diego, California. CAMACHO stated that he arranged to pick up four people at a casino and he knew they were illegal aliens. CAMACHO stated that he was going to transport the illegal aliens to Oceanside, California and that payment for transporting them was to be negotiated.

Material witness Job RODRIGUEZ-Ramirez stated a family member made arrangements to be smuggled into the United States and would take care of the payment. Material witnesses Victor PEREZ-Chavez and Erasmo MALDONADO-Rios stated they were going to pay $2,000.00 each to be smuggled into the United States. RODRIGUEZ and MALDONADO were each shown a six pack photo line-up and were able to identify the driver as photo #1. RODRIGUEZ was shown a six pack photo line-up and was able to identify the co-principle passenger as photo #6.

The complainant states that the name of the Material Witness is as follows:

NAME	PLACE OF BIRTH
Job RODRIGUEZ-Ramirez	Mexico
Victor PEREZ-Chavez	Mexico
Erasmo MALDONADO-Rios	Mexico

Further, complainant states that Job RODRIGUEZ-Ramirez, Victor PEREZ-Chavez and Erasmo MALDONADO-Rios are citizens of a country other than the United States; that said aliens admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and their are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

Executed on June 21, 2008 at 09:00a.m.

Senior Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 3 pages, I find Probable cause to believe that the defendants named in this probable cause statement committed the offense on June 20, 2008 in violation of Title 8, United States Code, 1324.

Honorable Louisa S. Porter
United States Magistrate Judge

6/21/08 12:30P.M.
Date/Time